

REMARKS

This is in response to the Office Action dated November 3, 2005, and a telephone conference with the Examiner on January 10. By this Amendment Applicant has amended claims 1 and 9. Applicant submits that this Amendment overcomes the objections to claims 1 and 9 and the rejection of claims 1, 3 and 6-9 under Section 112.

The Examiner rejected all of the pending claims as anticipated by or obvious from U.S. Patent No. 6,540,121 to Harvey. Harvey discloses a collapsible garment hanger. The pending claims are directed to a door hook having a U-shaped bracket that can be extended over the top of the door and extend to both sides of the door. Applicant submits that Harvey is a non-analogous reference. One seeking to design a hook to fit over the top of a door would not be looking at hangers used for clothing.

Even if one considers the Harvey patent to be relevant, this reference does not teach or disclose the claimed invention. The Examiner has identified element 41 in the Harvey reference as corresponding to the U-shaped bracket in the pending claims. Harvey identified this as a base 41. There is no teaching or suggestion that this base could be placed over the top of a door. Indeed, one would not do that because the hook portion which extends upward from the base 41 would prevent one from closing a door on which Harvey's collapsible hanger is placed as proposed by the Examiner. Furthermore, the pending claims require "a hinge element provided in the back side of the U-shaped bracket." There is no hinge element in base 41 in Harvey. If one considers base 41 and arms 46 and 47 in the Harvey reference to correspond to the U-shaped bracket claimed by Applicant, the Harvey structure still does not meet the limitations of the claims. Specifically, claim 1 and claim 10 require that there be a hinge element in the back side such that the second hook member is pivotable in a direction toward the front side from a first

position to a second position in which the second hook is substantially parallel to the back side or abuts the inside surface of the front side. Neither of the arms 46 or 47 can be pivoted in the manner required by the claims. Accordingly, the claims as amended are patentable over the cited reference.

Summary of Telephone Interview

During the telephone conversation on January 10 the undersigned counsel told the Examiner that he would amend the claims to overcome the rejection under Section 112 and the objections to claims 1 and 10 as has been done in this Amendment. It was the understanding of the undersigned counsel that these amendments would overcome those problems.

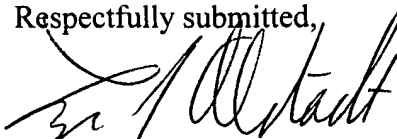
During the interview Applicant's counsel said that he could not find all of the elements of the pending claims in the Harvey reference. The Examiner indicated that on further review she would not maintain the rejection based upon Harvey

Request for Rejoinder

Claims 4 and 5 depend from claim 1 and were withdrawn in response to a restriction requirement. Claims 11, 16 and 17 depend from claim 10 and were also withdrawn in response to the restriction requirement. Since claims 1 and 10 are now allowable, rejoinder of claims 4, 5, 11, 16 and 17 are respectfully requested. See MPEP, § 809.04.

Accordingly, the claims as amended are allowable. Reconsideration and allowance of claims 1 and 3-17 are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lynn J. Alstadt", written over the typed name.

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